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APR 26 2007

EC 0143 PUS (04259)

REMARKS

Claims 1-11 and 13-16 were rejected under 35 USC 103(a) as being unpatentable over Jakubiec et al (US 6,129,400) in view of Tiesler (US 6,045,173) (and with reference to Fluharty (US 5,085,481) for reference to locking tabs). Claim 12 was rejected under 35 USC 103(a) as being unpatentable over Jakubiec and Tiesler in further view of Klopp (US 6,851,736).

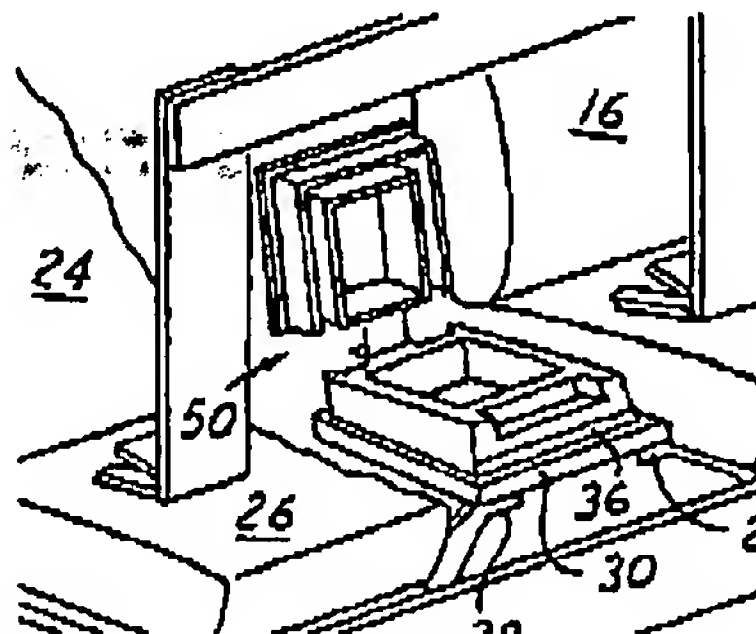
The Applicant respectfully traverses these rejections and seeks reconsideration in light of the following arguments.

Claims 1-11 and 13-16 were rejected under 35 USC 103(a)

Claims 1-11 and 13-16 were rejected under 35 USC 103(a) as being unpatentable over Jakubiec et al (US 6,129,400) in view of Tiesler (US 6,045,173). The Applicant respectfully traverses this rejection and seeks reconsideration.

The Applicant calls the Examiner's attention to the specific limitations cited within the claims of the present application....

a lower console base comprising a plurality of lower console base walls and an open lower console base top, said lower console base walls and said open lower console base top forming a lower console base storage bin, said lower console base mounted to said joining frame;



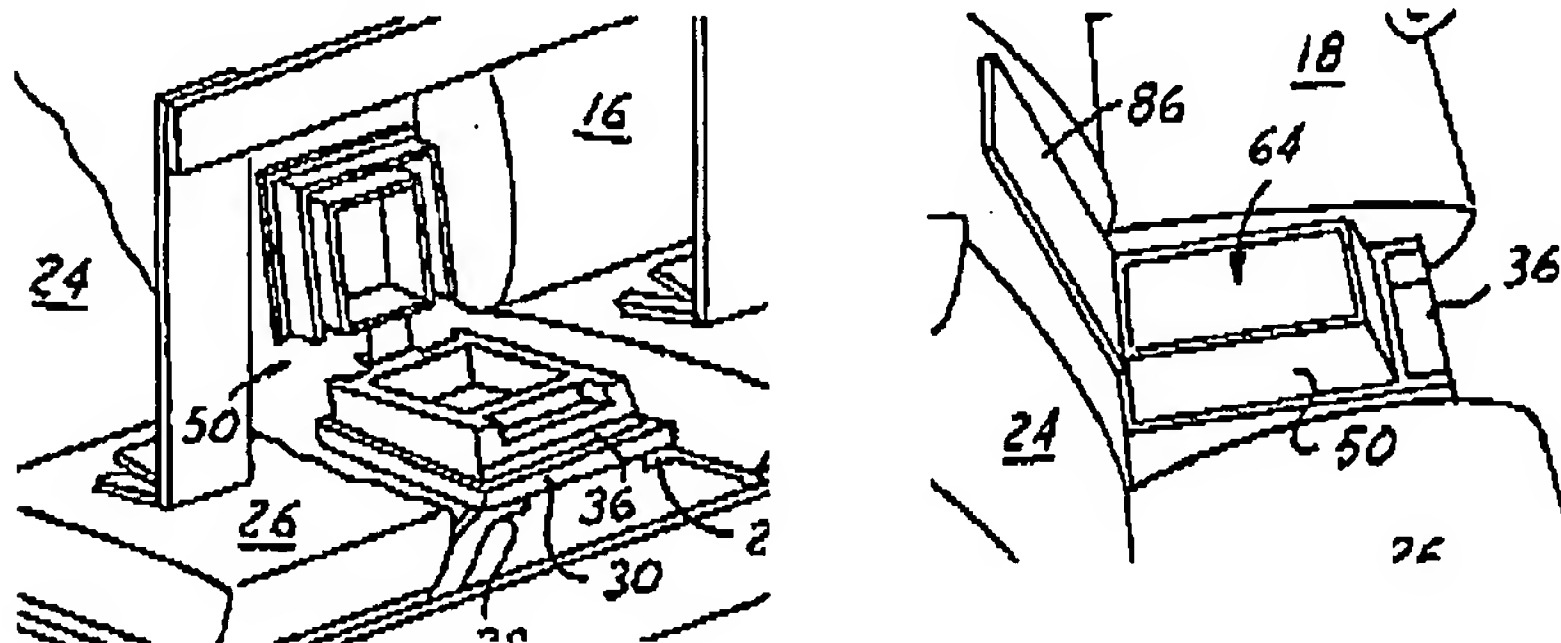
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As is clearly claimed... the console base is claimed as an upper and lower base section.
The lower base is claimed as having an open top and is mounted to the joining frame.

an upper console base comprising a plurality of upper console base walls, an open upper console base top and an open upper console base bottom, said upper console base rotatably attached to said lower console base such that said upper console base can be rotated between a pre-installation position and an installation position, said plurality of upper console base walls engaging said plurality of lower console base walls to form a contiguous extended depth storage bin when said upper console base is in said installation position



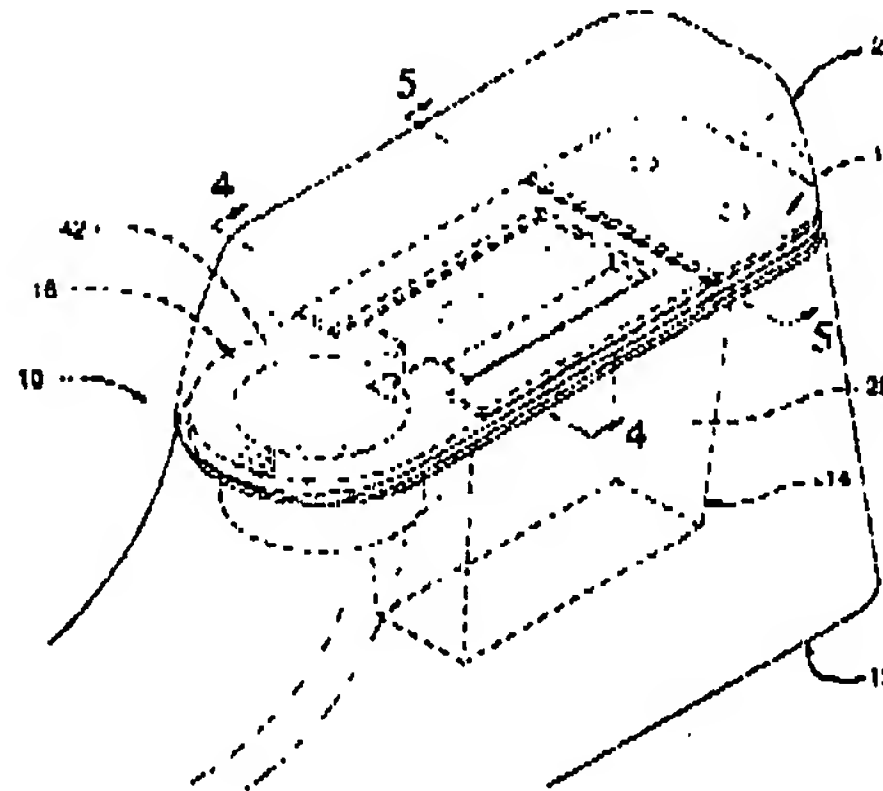
As is clearly claimed and illustrated, it is the open top and bottom of the upper console base that allows it to join with the open top of the lower console base to form the extended depth storage bin when moved into the installation position. This is not taught or suggested by any of the cited prior art either alone or in combination.

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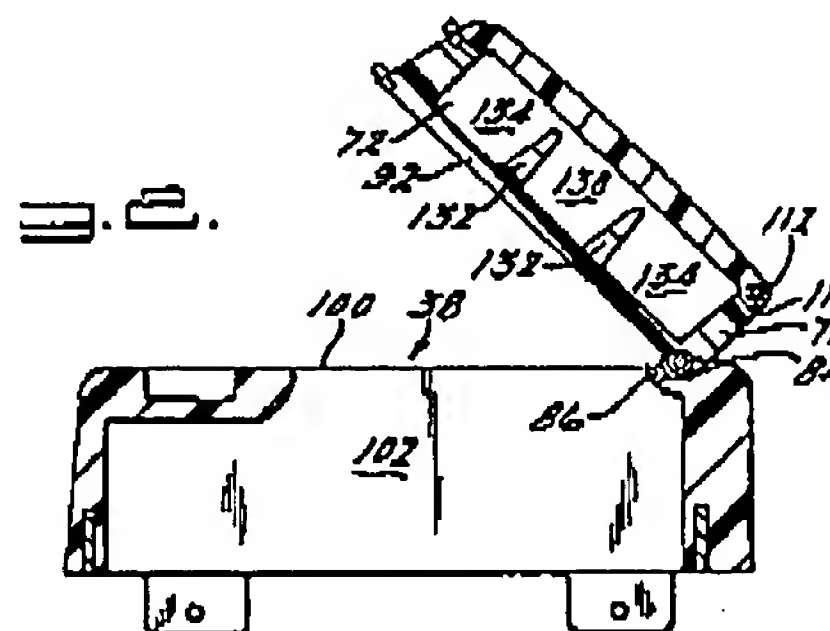
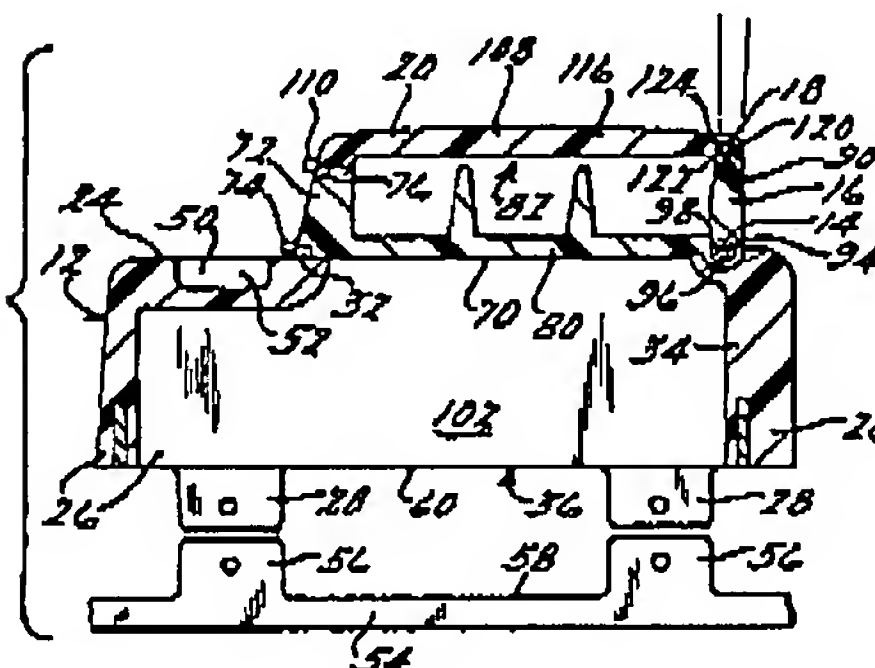
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Rather, all the prior art shows is a single piece console base with a tray insert as in Tiesler.



This shows a solid single piece console base 12 with a rotatable cover 20 and a tray insert 14. There is no upper and lower console base as claimed in the present invention. There is no upper console base with an open top and bottom. And there is no rotatable junction between an upper and lower console base that allows the open bottom of the upper console to engage the open top of the lower console base to result in a contiguous extended depth storage bin. The insert 14 is not a console base, it reduces rather than increases console depth as opposed to the claimed features of the present invention.

The Examiner combines Tiesler with Jakubiec under 35 USC 103(a). Yet Jakubiec also fails to teach the above cited limitations of the present invention.



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Here, while it may be argued that Jakubiec may teach an upper and lower console base, it clearly fails to teach an upper console base having an open bottom surface and an open top surface such that when it engages the open top surface of the lower console base an extended depth storage bin is generated. Rather Jakubiec's arguable upper console base has a CLOSED bottom surface and therefore fails to teach a significant limitation of the present invention. As the limitation is not taught or suggested by Jakubiec or Tiessler either alone or in combination, nor is it incidentally taught in Fluharty either, the present rejection under 35 USC 103(a) should be removed.

Claim 12 rejected under 35 USC 103(a)

Claim 12 was rejected under 35 USC 103(a) as being unpatentable over Jakubiec and Tiesler in further view of Klopp (US 6,851,736). The Applicant respectfully requests reconsideration based on the above arguments regarding the insufficiency of the Jakubiec and Tiesler base 103(a) rejection. The Applicant therefore asserts that claim 12 should be allowed for identical reasons.

The Applicant respectfully seeks reconsideration in this light as well as the aforementioned arguments.

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The Applicant would like to thank the Examiner for her reconsideration and asserts the application is now in condition for allowance.

Respectfully submitted,



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